

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Jon Ethridge,

Plaintiff,

v.

The Bank of New York Mellon,

Defendant.

Case No. 13-14713

Honorable Nancy G. Edmunds

ORDER DENYING PLAINTIFF'S MOTION FOR RELIEF FROM JUDGMENT [50]

This matter comes before the Court on Plaintiff's motion for relief from judgment pursuant to Federal Rule of Civil Procedure 60(b). Plaintiff asks the Court to vacate its decision to deny him the ability to proceed in forma pauperis on his appeal of the Court's dismissal of his complaint. (Dkt. 46.) The Court denied Plaintiff in forma pauperis status because it found that any appeal of the Court's order dismissing his complaint would be "frivolous." (*Id.* at 1.) When Plaintiff went to the Sixth Circuit to ask it for the ability to proceed in forma pauperis, the Sixth Circuit agreed with this Court's ruling and denied his request. (Dkt. 48 at 1, *Jon Ethridge v. The Bank of New York Mellon*, No. 14-2097 (6th Cir. May 4, 2015)) ("Ethridge's motion to proceed in forma pauperis is denied because an appeal in this case would be frivolous."). The Sixth Circuit later denied Plaintiff's motion to reconsider. (Dkt. 50, *Jon Ethridge v. The Bank of New York Mellon*, No. 14-2097 (6th Cir. July 14, 2015)). Plaintiff has not presented any reason for the Court to disturb its or the Sixth Circuit's decisions on this matter.

Plaintiff's motion is DENIED.¹

SO ORDERED.

S/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: August 20, 2015

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 20, 2015, by electronic and/or ordinary mail.

S/Carol J. Bethel
Case Manager

¹ The Court notes that the Sixth Circuit dismissed Plaintiff's appeal for failure to prosecute on August 10, 2015 because Plaintiff failed to pay the filing fee. (Dkt. 51, *Jon Ethridge v. The Bank of New York Mellon*, No. 14-2097 (6th Cir July 14, 2015)).